



Report to the Subcommittee on the  
Middle East and North Africa,  
Committee on Foreign Affairs, House of  
Representatives

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September 2017

# ANTITERRORISM ASSISTANCE

## State Department Should Improve Data Collection and Participant Oversight

Accessible Version

# GAO Highlights

Highlights of [GAO-17-704](#), a report to the Subcommittee on the Middle East and North Africa, Committee on Foreign Affairs, House of Representatives

## Why GAO Did This Study

State's ATA program aims to enhance foreign partners' capabilities to prevent acts of terrorism, address terrorism incidents when they do occur, and apprehend and prosecute those involved in such acts. In fiscal years 2012 through 2016, State allocated about \$715 million to the ATA program, which it reports to have used to train about 56,000 security force officials from more than 34 partner nations. At least 2,700 of those participants were trained at facilities in the United States.

GAO was asked to review ATA program management. This report examines, among other objectives, (1) State's ability to oversee ATA participants trained in the United States and (2) the steps State has taken to ensure that facilities used for domestic ATA training align with applicable security requirements. GAO conducted fieldwork at two domestic training facilities selected because they provide tactical training; analyzed State and DHS data and documentation related to fiscal year 2012 through 2016 domestic training participants; and interviewed State and DHS officials, including those who oversee ATA training for three partner nations receiving significant ATA training. GAO also interviewed contractors who help implement the ATA program and analyzed related documents.

## What GAO Recommends

State should ensure implementation of its data collection procedures and establish a process to confirm and document participants' return to their home countries. State agreed with both recommendations.

View [GAO-17-704](#). For more information, contact Jessica Farb at (202) 512-6991 or [FarbJ@gao.gov](mailto:FarbJ@gao.gov).

September 2017

## ANTITERRORISM ASSISTANCE

### State Department Should Improve Data Collection and Participant Oversight

## What GAO Found

Weaknesses exist in Department of State (State) Antiterrorism Assistance (ATA) program data and oversight of participants, including those trained in the United States. ATA course and participant data are incomplete and sometimes inaccurate, despite ATA's procedures for the collection of those data. ATA officials told GAO that procedures were not always followed. Without ensuring the implementation of procedures to collect complete and accurate program data, officials may not be able to accurately report the number of participants trained, in line with program performance indicators. Among participants trained in the United States since 2012, ATA has documented 10 participant unauthorized departures from ATA activities and provided related information to the Department of Homeland Security (DHS) for follow-up. In addition to these 10, ATA recently identified 20 ATA participants trained in fiscal years 2012 through 2016 for whom departure from the United States following the completion of training is unconfirmed. ATA officials told GAO there is no formal process to confirm participants' return to their home countries following the completion of training (see fig.). Without such a process, ATA may not be able to assess the extent to which it is using training in line with program goals. Further, State may not be able to provide information to DHS about participants whose failure to depart may warrant enforcement action.

State's Process for Overseeing Domestic ATA Training Participants

	Arrives in United States	Clears airport security screening	Arrives in home country
ATA participant activity	Escorted training and transit	Unescorted transit	
Available methods to detect unauthorized departures	- Escorted transit from and to airport <sup>a</sup> - Daily attendance throughout training	None	U.S. embassy conducts follow-up
Number of known unauthorized departures from FY 2012 - 2016 ATA activities	10 ▲▲▲▲▲▲▲▲▲▲	20 ▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲	Not applicable
State process for notifying DHS of unauthorized departures from ATA activities	State alerts DHS 24 hours after discovering unauthorized departure <sup>b</sup>	No formal process	No formal process
	Oversight process	No formal oversight process	

Legend: State = Department of State; DHS = Department of Homeland Security; ATA = Antiterrorism Assistance; FY = fiscal year  
Source: GAO analysis of Department of State information. | GAO-17-704

<sup>a</sup>ATA may or may not provide escort to the airport following the conclusion of training for participants who undertake personal travel, as permitted by the terms of their admission to the United States.

<sup>b</sup>As of January 2015.

State and the contractors who implement ATA training have taken steps to ensure that facilities used for domestic training align with applicable security requirements. State's ATA training contract requires the secure storage of weapons and explosives and that the contractors have the relevant federal, state, and local permits. State reports overseeing the contractors through the receipt of copies of relevant licenses such as those required for possessing explosives; visits to the training facilities, including surveys examining storage security; and frequent meetings. Both of the domestic tactical training facilities that GAO visited had relevant licenses and, during site visits, GAO observed some suggested security measures, including fences, secured gates, and security patrols.

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## Abbreviations

ADIS	Arrival and Departure Information System
ATA	Antiterrorism Assistance
ATF	Bureau of Alcohol, Tobacco, Firearms and Explosives
CT	Bureau of Counterterrorism and Countering Violent Extremism
D&CP	Diplomatic and Consular Programs
DHS	Department of Homeland Security
DRL	Bureau of Democracy, Human Rights, and Labor
DS	Bureau of Diplomatic Security
GATA	Global Antiterrorism Training
INVEST	International Vetting and Security Tracking system
NADR	Nonproliferation, Anti-terrorism, Demining, and Related Programs
RFP	request for proposals
SPEAR	Special Program for Embassy Augmentation and Response

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State

Department of State

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September 28, 2017

The Honorable Ileana Ros-Lehtinen  
Chairman  
The Honorable Ted Deutch  
Ranking Member  
Subcommittee on the Middle East and North Africa  
Committee on Foreign Affairs  
House of Representatives

The United States and its foreign partners face a dynamic and evolving terrorist threat environment. Instability in key regions of the world, along with weak or nonexistent governance, sectarian conflict, and porous borders, continues to provide terrorist groups like the Islamic State of Iraq and Syria the opportunity to extend their reach, terrorize civilians, and attract and mobilize new recruits. To combat this trend, the 2015 *National Security Strategy* acknowledges that the United States' obligations do not end at its borders and embraces the responsibility to support international security because it serves U.S. interests, upholds commitments to allies and partners, and addresses threats that are truly global.<sup>1</sup> To this end, the United States provides billions of dollars in assistance annually to foreign countries to train and equip their security forces.

The Department of State's (State) Antiterrorism Assistance (ATA) program's primary mission is to enhance the capabilities of foreign partner nations in the detection, deterrence, and prevention of acts of terrorism, the resolution of terrorism incidents when they do occur, and the apprehension and prosecution of those involved in such acts. In fiscal years 2012 through 2016, State allocated more than \$700 million to the ATA program for training, mentoring, equipment, and other services to help partner countries build or enhance their counterterrorism capabilities.

In December 2015, media reports alleged potential security vulnerabilities at a subcontracted training facility used by ATA in the United States and suggested possible weaknesses in State's management of the ATA program, including the vetting of potential participants, the security of training facilities, and ATA participant unauthorized departures from

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<sup>1</sup>The White House, *National Security Strategy* (Washington, D.C.: February 2015).

training. You asked us to review several aspects of ATA program management. This report examines, for fiscal years 2012 through 2016, (1) the steps State has taken to ensure that facilities used for domestic ATA training align with applicable facility and equipment security requirements; (2) the extent to which State has vetted domestic ATA participants for human rights concerns and how State screens them for terrorist activity; and (3) State's ability to oversee ATA participants trained in the United States.

To address these objectives, we examined documents from State and the Department of Homeland Security (DHS), such as agency guidance and procedures, and analyzed State participant, course, and human rights vetting data for fiscal years 2012 through 2016, the most recent 5 fiscal years for which complete information was available. We discussed ATA program management topics with officials from State and DHS and with U.S. embassy officials in three ATA partner nations—Bangladesh, Indonesia, and Jordan—selected based on criteria such as number of ATA participants trained and in light of countries included in recently completed or ongoing GAO and State Inspector General reviews of the ATA program.<sup>2</sup> To determine what steps State has taken to ensure that facilities used for domestic ATA training align with applicable facility and equipment security requirements, we compared requirements in the Global Antiterrorism Training (GATA) contract used to secure services to manage and deliver ATA training activities to (1) documents obtained from the contractors who implement ATA training and (2) observations we made during investigative surveillance operations and escorted facility site visits to two domestic training facilities where a significant proportion of ATA domestic students were trained and that secured equipment on-site.<sup>3</sup> To assess the extent to which State has vetted domestic ATA participants for human rights concerns, we developed a generalizable random sample of 98 participant names from 2,271 available ATA participant data records. However, we could not generalize our findings

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<sup>2</sup>U.S. Department of State, Office of Inspector General, *Management Assistance Report: Challenges Remain in Monitoring and Overseeing Antiterrorism Assistance Program Activities in Pakistan* (Washington, D.C.: May 2017). GAO, *Combating Terrorism: State Department Can Improve Management of East Africa Program*, [GAO-14-502](#) (Washington, D.C.: June 17, 2014). GAO, *Combating Terrorism: U.S. Efforts in Northwest Africa Would Be Strengthened by Enhanced Program Management*, [GAO-14-518](#) (Washington, D.C.: June 24, 2014).

<sup>3</sup>The GATA contract was originally awarded to three prime contractors; however, only two of those prime contractors currently implement ATA training, according to ATA officials.

about vetting from these participants for whom ATA had records to those participants who were not recorded in its electronic data system. We then cross-checked the names in our sample with human rights vetting data from State's International Vetting and Security Tracking (INVEST) system to verify that the ATA participants for whom vetting was required by State guidance were vetted before receiving the training. To describe how the ATA program screens participants for terrorist activity, we interviewed State officials about their processes and embassy data systems used for terrorist activity screening. We also compared the countries on State's list of state sponsors of terrorism to the countries for which ATA allocated funding in fiscal years 2012 through 2016. To examine State's ability to oversee ATA participants trained in the United States, we analyzed ATA participant and course data and participant arrival and departure data from DHS's Arrival and Departure Information System (ADIS).<sup>4</sup> While we found some accuracy and completeness limitations for these data as a whole, as discussed later in the report, we identified a subset of 443 participant records with sufficient information for us to use in assessing the length of participants' stays in the United States after completing training. We also reviewed relevant State, DHS, and contractor documents, including State's report on its analysis of departure data for ATA participants trained at domestic facilities. We determined all data to be sufficiently reliable for the purpose of this engagement by taking steps such as comparing similar data from different sources; reviewing agency information regarding underlying data systems; and interviewing cognizant agency and contractor officials. For more detail on our scope and methodology, see appendix I.

We conducted this performance audit from May 2016 to September 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that

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<sup>4</sup>ADIS, which DHS uses for the storage and use of biographic, biometric indicator, and encounter data on aliens who have applied for entry, entered, or departed the United States, tracks and matches arrival and departure records for the purpose of identifying potential overstays. According to DHS documents, its primary use is to facilitate the investigation of subjects of interest who may have violated their immigration status by remaining in the United States beyond their authorized stay. For more information on DHS's use of ADIS and processes for identifying potential overstays, see GAO, *Overstay Enforcement: Additional Actions Needed to Assess DHS's Data and Improve Planning for a Biometric Air Exit Program*, [GAO-13-683](#) (Washington, D.C.: July 30, 2013).



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the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We conducted our related investigative evaluation work—site surveillance—in accordance with investigation standards prescribed by the Council of the Inspectors General on Integrity and Efficiency.

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## Background

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### Antiterrorism Assistance Program Management

The ATA program was established in 1983 to provide assistance to foreign countries in enhancing the ability of their law enforcement personnel to deter terrorists and terrorist groups from engaging in international terrorist acts such as bombing, kidnapping, assassination, hostage taking, and hijacking.<sup>5</sup> The stated purposes of the ATA program's activities are to (1) enhance the antiterrorism skills of friendly countries by providing counterterrorism training and equipment; (2) strengthen bilateral ties with partner nations by offering assistance; and (3) increase respect for human rights by sharing modern, humane, and effective antiterrorism techniques with foreign civil authorities.<sup>6</sup>

Within State, management of the ATA program is undertaken as a partnership between the Bureau of Counterterrorism and Countering Violent Extremism (CT), which conducts policy formulation, strategic guidance, and oversight, and the Bureau of Diplomatic Security (DS), which administers and implements the program.<sup>7</sup> In addition, ATA officials work with officials from State's regional bureaus and Regional Security Officers at U.S. posts overseas to help ensure that appropriate ATA participants are selected to receive training. Regional Security Officers

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<sup>5</sup>The ATA provision in the Foreign Assistance Act of 1961, as added by the International Security and Development Assistance Authorization Act of 1983, Pub. L. No. 98-151, § 101(b)(2), authorizes the President to provide assistance, including training and equipment, to foreign countries for these purposes.

<sup>6</sup>22 U.S.C. §§ 2349aa, 2349aa-1.

<sup>7</sup>Throughout this report, we use "ATA" to indicate activities or the officials undertaking activities under the specific auspices of the ATA program, including DS and CT officials whose specific capacities entail program administration, implementation, and oversight. We use "State" to indicate officials or activities undertaken by any other State elements or collection of elements, which may or may not include ATA.

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also help ensure that ATA activities target key focus areas, including the threat of terrorism, individual country-level operational needs, and the advancement of U.S. national security interests. ATA uses its own training experts as well as those from other U.S. federal, state, and local law enforcement agencies, police associations, and private security firms and consultants to deliver a blend of training, mentoring, equipment, advising, and consulting to partner nations.

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### ATA Funding Allocations for Fiscal Years 2012 through 2016

As shown in figure 1, in fiscal years 2012 through 2016, State allocated approximately \$715 million to the ATA program for training, mentoring, equipment, and other services to help partner nations build or enhance their counterterrorism capabilities.<sup>8</sup>

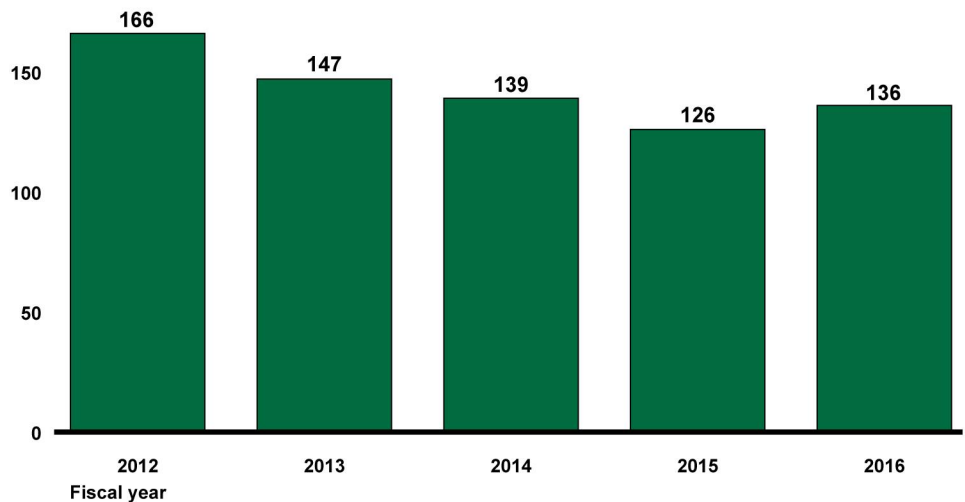
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<sup>8</sup>In addition to DS, which implemented more than 90 percent of ATA allocations in fiscal years 2012 through 2016, the U.S. Institute of Peace and the Departments of Energy, Justice, and Homeland Security also implemented some funds allocated to the ATA program in fiscal years 2012 through 2016.

**Figure 1: U.S. Funds Allocated for Antiterrorism Assistance, Fiscal Years 2012-2016**

Dollars (in millions)

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Source: GAO analysis of Department of State (State) data. | GAO-17-704

Notes: Because of rounding, amounts shown do not sum to total. The figures include State allocations from Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funding for antiterrorism assistance (ATA) and NADR/ATA Overseas Contingency Operations. The figures do not include allocations from State's Global Security Contingency Fund, International Narcotics Control and Law Enforcement, or Diplomatic and Consular Program used for the Special Program for Embassy Augmentation and Response, or funds provided directly from the Kingdom of Saudi Arabia for its own training. According to State data, allocated amounts include funds made available for this purpose through reprogramming, or shifting of funds within an appropriation or fund account to use them for purposes other than those contemplated at the time of appropriation.

As shown in table 1, State has obligated or disbursed about \$543 million (76 percent) of the approximately \$715 million allocated to ATA in fiscal years 2012 through 2016.<sup>9</sup> Of the \$172 million in unobligated funds, \$136 million (79 percent) are fiscal year 2016 funds still available for obligation through the end of fiscal year 2017. About \$36 million of that \$172 million in unobligated balances were allocated in fiscal years 2012 through 2015 and thus, funds that were not obligated within the initial period of

<sup>9</sup>For information on budget terms used in this report, see GAO, *A Glossary of Terms Used in the Federal Budget Process*, [GAO-05-734SP](#) (Washington, D.C.: September 2005).

availability for new obligations have expired.<sup>10</sup> The Joint Explanatory Statement to the Consolidated Appropriations Act, 2017, directs State to conduct a review of unobligated ATA balances from fiscal year 2016.<sup>11</sup>

**Table 1: Status of U.S. Funds Allocated for Antiterrorism Assistance, Fiscal Years 2012-2016, as of September 30, 2016**

Dollars in millions

Fiscal year	2012	2013	2014	2015	2016	Total
Allocations <sup>a</sup>	166.0	147.4	138.8	126.4	135.9	<b>714.6</b>
Unobligated balances	19.7 <sup>b</sup>	8.4 <sup>b</sup>	6.5 <sup>b</sup>	1.6 <sup>b</sup>	135.9	<b>172.0</b>
Unliquidated obligations	0.5	8.6	20.5	91.8	0.0	<b>121.4</b>
Disbursements	145.9	130.4	111.8	33.1	0.0	<b>421.1</b>

Source: GAO analysis of Department of State (State) data. | [GAO-17-704](#)

Notes: Because of rounding, amounts shown do not sum to total. The figures include State allocations from Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funding for Antiterrorism Assistance (ATA) and NADR/ATA Overseas Contingency Operations. These figures do not include allocations from State's Global Security Contingency Fund, International Narcotics Control and Law Enforcement, or Diplomatic and Consular Program used for the Special Program for Embassy Augmentation and Response, or funds provided directly from the Kingdom of Saudi Arabia for its own training. Funds are considered to be obligated once a legal liability of the U.S. government for the payment of goods and services ordered or received has been created. An unobligated balance is the amount of budget authority that has not yet been obligated. Unliquidated obligations, also known as obligated balances, are the amount of obligations already incurred for which payment has not yet been made. Disbursements are the amounts paid by federal agencies to liquidate government obligations. Agencies may have several years in which to obligate allocated funds. Under authority generally provided in the Department of State, Foreign Operations, and Related Programs Appropriations Acts, if funds from certain accounts are obligated within the initial period of availability, they remain available for obligation for an additional 4 years. During this time, agencies may deobligate and reobligate these funds; this is commonly referred to as deobligation-reobligation authority. Obligated funds generally then continue to be available for disbursement for an additional 5 years after the end of their period of availability for obligation.

<sup>a</sup>According to State data, allocated amounts include funds made available for this purpose through reprogramming, or shifting of funds within an appropriation or fund account to use them for purposes other than those contemplated at the time of appropriation.

<sup>10</sup>Under authority generally provided in the Department of State, Foreign Operations, and Related Programs Appropriations Acts, if funds from certain accounts, such as NADR/ATA, are obligated within the initial period of availability, they remain available for obligation for an additional 4 years. During this time, agencies may deobligate and reobligate these funds; this is commonly referred to as deobligation-reobligation authority. According to State program officials, some of the unobligated balances from fiscal years 2012 through 2015 have expired and some remain available for new obligations subject to deobligation-reobligation authority. However, State officials could not tell us exactly how much of the funds had expired and how much may remain available for new obligations under deobligation-reobligation authority at the program level. According to these officials, State can identify all expired funds at the account and sub-account levels; funds available for reobligation are identified by analysis if bureaus request reclassification and re-apportionment.

<sup>11</sup>163 Cong. Rec. H4051 (May 3, 2017).

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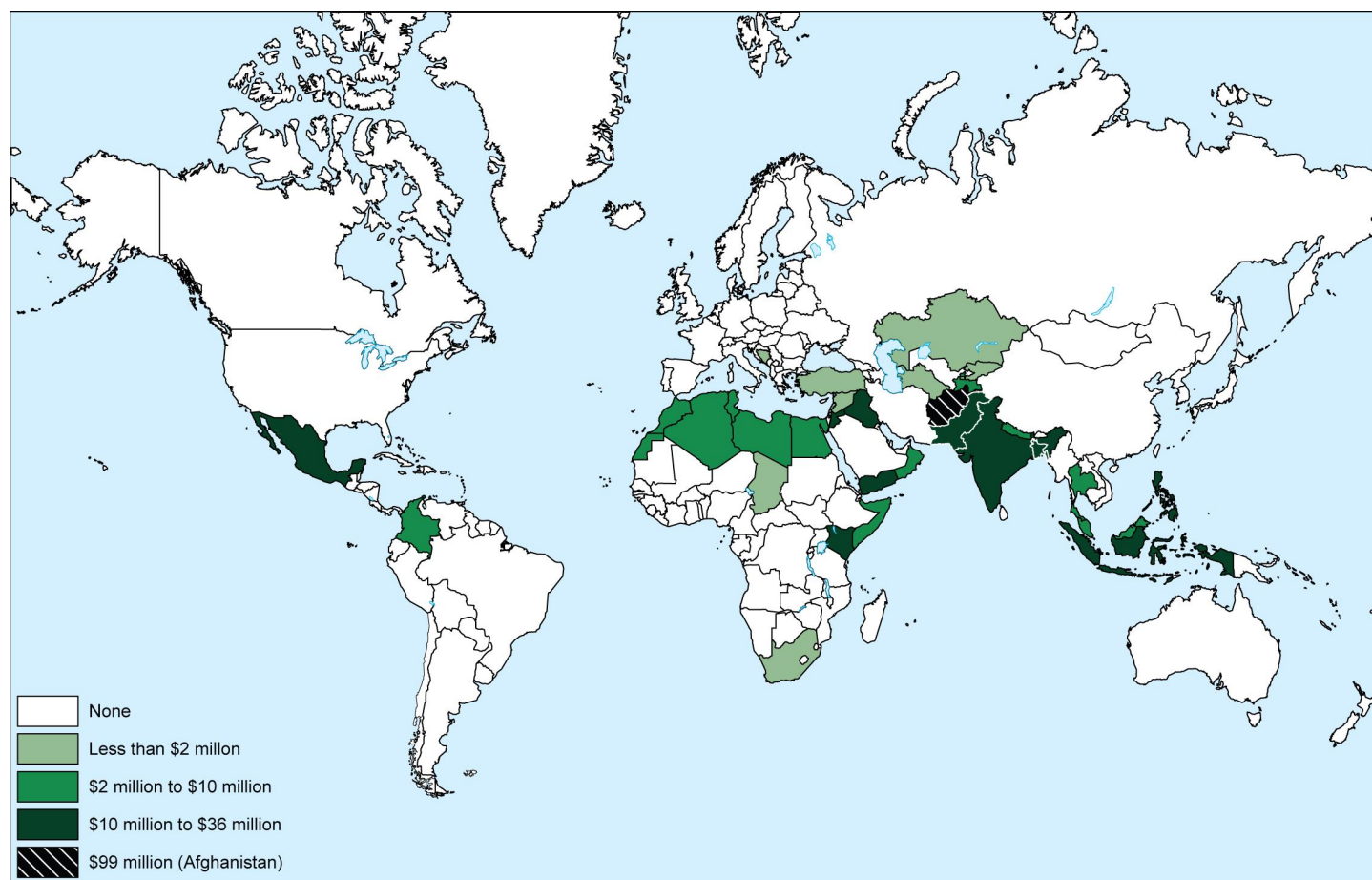
<sup>b</sup>According to State program officials, some of these unobligated balances have expired and some remain available for new obligations subject to deobligation-reobligation authority. However, State officials could not tell us exactly how much of the funds had expired and how much may remain available for new obligations under deobligation-reobligation authority at the program level. According to these officials, State can identify all expired funds at the account and sub-account levels; funds available for reobligation are identified by analysis if bureaus request reclassification and re-apportionment.

State has reported that, since its inception in 1983, the ATA program has trained and assisted more than 84,000 foreign security and law enforcement officials from 154 countries. As shown in figure 2, in fiscal years 2012 through 2016, State provided bilateral ATA assistance to 34 partner nations.<sup>12</sup>

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<sup>12</sup>In addition to the 34 partner nations that received bilateral ATA assistance in fiscal years 2012 through 2016, additional countries received aid through multilateral ATA assistance efforts.

**Figure 2: Bilateral Antiterrorism Assistance Allocations for Fiscal Years 2012 through 2016, by Allocation Range**



Sources: GAO analysis of Department of State (State) data; Map Resources (map). | GAO-17-704

Notes: The figure includes State allocations from Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funds for antiterrorism assistance (ATA) and NADR/ATA Overseas Contingency Operations. The figure does not include allocations from State's Global Security Contingency Fund, International Narcotics Control and Law Enforcement, or Diplomatic and Consular Program used for the Special Program for Embassy Augmentation and Response, or funds provided directly from the Kingdom of Saudi Arabia for its own training. According to State data, allocated amounts include funds made available for this purpose through reprogramming, or shifting of funds within an appropriation or fund account to use them for purposes other than those contemplated at the time of appropriation.

## ATA Contract and Training Facilities

State implements ATA training through the GATA contract signed in December 2011 and in effect during fiscal years 2012 through 2016, according to State officials. ATA officials told us that they secured two

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prime contractors to implement this contract who, in turn, manage subcontracts with several training facilities.<sup>13</sup> The majority of ATA training occurs at facilities located abroad, either at facilities in recipient nations or at regional facilities. For example, ATA has agreements in place with the government of Jordan to use multiple facilities there to deliver ATA training to participants from Jordan as well as from other U.S. partner nations. According to State officials, as of June 2017, State was also negotiating an agreement to use facilities in Kenya for regional ATA training. In addition to overseas locations, about 10 percent of the ATA courses in fiscal years 2012 through 2016 were delivered at training facilities in the United States. State officials told us that training ATA participants at domestic facilities also offers senior U.S. government officials an opportunity to interact with partner nation officials, both of whom benefit from the direct diplomatic interaction. While classroom training is conducted in various localities across the United States, according to ATA officials, two facilities have been subcontracted to deliver tactical training: The O’Gara Group (O’Gara) located in Montross, VA, and Academi a Constellis Company (Academi), located in Moyock, NC.<sup>14</sup>

In addition, State officials told us about two relevant modifications to ATA program management that they are making or plan to make in relation to the contract used to secure services for the delivery of ATA training and locations to be used for ATA training activities. First, in March 2017, State issued a request for proposals (RFP) for a new GATA contract that makes some technical modifications to language we identified during our engagement and that ATA officials determined was unclear. Second, according to State officials, in fiscal year 2017, State finalized a shift of nearly all training delivered at facilities in the United States to locations in partner nations or regional training centers outside the United States.<sup>15</sup>

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<sup>13</sup>According to State officials, the GATA contract was originally awarded to three prime contractors; however, only two of those prime contractors currently implement ATA training.

<sup>14</sup>In this report, we use “tactical training facilities” to refer to those with equipment required to be secured on-site. In addition to training delivered at these private facilities, ATA also delivers training at State-operated facilities, such as State’s canine training facility in Virginia.

<sup>15</sup>According to ATA officials, some courses will continue to be delivered at U.S. locations, including armored vehicle driving training, canine training, and self-funded training for the Kingdom of Saudi Arabia. In addition, ATA officials told us that if there is an increase in funding for ATA program activities, or if the capacity at regional training centers otherwise becomes insufficient, ATA may deliver other courses at domestic facilities as well.

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According to State officials, this approach is expected to generate savings on costs such as international travel and accommodations.<sup>16</sup> Further, the RFP for the new training contract states a preference to use State's planned Foreign Affairs Security Training Center, when it becomes available, for any tactical training that is delivered in the United States.

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## Restrictions on Security-Related Assistance Based on Human Rights Concerns

To help ensure that U.S. assistance is not used to support those who violate human rights, U.S. law prohibits the provision of assistance to foreign security forces implicated in human rights abuses. Section 620M of the Foreign Assistance Act of 1961 (also known as the State Leahy law) prohibits the United States from providing assistance under the Foreign Assistance Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights.<sup>17</sup>

In response to the State Leahy law, State has established a human rights vetting process to determine whether there is credible information of a gross violation of human rights for any potential recipient of assistance, such as ATA training. In accordance with State guidance, State may conduct individual or unit-level vetting, depending on the circumstances. This process generally consists of vetting by personnel representing selected agencies and State offices at U.S. embassies and at State headquarters in Washington, D.C.; State's Bureau of Democracy, Human Rights, and Labor (DRL); and the relevant geographic bureau.<sup>18</sup> These

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<sup>16</sup>ATA compared the cost of delivering one course at a facility in the United States versus a regional training facility in Jordan. The training costs that ATA analyzed included labor, travel, lodging, and meals. We did not evaluate ATA's analysis.

<sup>17</sup>According to State guidance, any organization or entity authorized by a state to use force—including, but not limited to, the power to search, detain, and arrest—would generally be considered a security force. All active duty members of the military are considered to be members of a security force unit, regardless of their military specialty or function. Security forces could also include units of law enforcement, state-authorized militias, prison guards, customs police, border police, tax police, very important persons protection details, armed game wardens, gendarmerie, and the coast guard.

<sup>18</sup>For more information on the Leahy vetting process and terminology, see GAO, *Human Rights: Additional Guidance, Monitoring, and Training Could Improve Implementation of the Leahy Laws*, [GAO-13-866](#) (Washington, D.C.: Sept. 25, 2013).



personnel are to screen prospective recipients nominated to receive assistance by searching relevant files, databases, and other sources of information for credible information about gross violations of human rights. Each embassy determines which agencies and State offices should participate in the embassy's vetting process and, according to ATA officials, each individual's unit affiliation if conducting unit-level vetting. Among other duties, DRL is responsible for overseeing the vetting process and for developing human rights vetting policies, in coordination with the regional and relevant functional bureaus. State processes, documents, and tracks human rights vetting requests and results through its INVEST system, a web-based database. ATA is to receive a list of vetted individuals from DRL, through INVEST, and requires the GATA contractors to cross-check that list with the participants who attend the first day of training to ensure that each has been vetted before any course information is presented.

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## ATA Participant Nonimmigrant Visas and Admission to the United States

Conducting ATA training in the United States rather than at locations abroad requires additional logistical procedures that State and DHS must undertake, including issuing visas and granting admission to participants traveling to the United States, respectively. Prior to training in the United States, ATA participants must apply for a visa at a U.S. embassy or consulate abroad or with State's Bureau of Consular Affairs. State's consular officers evaluate visa applications and issue nonimmigrant A-2 visas—those for foreign government officials and employees traveling to the United States to engage solely in official duties or activities on behalf of their national government—to eligible travelers coming to the United States for ATA training.

When foreign nationals arrive at a U.S. port of entry for admission to the United States to attend domestic ATA training, DHS officials determine whether to admit them into the United States.<sup>19</sup> DHS officials grant ATA participants admission for what the agency refers to as duration of

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<sup>19</sup>A port of entry is any officially designated location (seaport, airport, or land border location) where all persons or goods are subject to inspection by U.S. Customs and Border Protection officers.

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status.<sup>20</sup> According to State officials, ATA participants' status is generally tied to their participation in the associated ATA course and, therefore, they will generally only be recognized as entitled to A-2 status during participation in the ATA training and reasonable travel to and from the United States.

While ATA participants are in the United States, they may be permitted to apply to DHS for certain immigration benefits and changes in immigration status, such as for asylum. According to DHS officials, ATA participants also are not subject to travel restrictions and can depart training facilities for purposes such as tourism and visiting family living in the United States, so long as they also maintain their status as participants of their ATA courses, by not being absent from training, for example.<sup>21</sup>

According to State and DHS officials, if participants miss ATA course activities without authorization, and do not attain an alternative immigration status, they may become subject to removal procedures. ATA officials told us that, upon arrival at domestic training facilities, ATA participants receive a briefing from officials or contractors to ensure that they understand that they should not depart the facility without authorization and that any unauthorized departure will be reported to ATA for further action. State and DHS officials told us that, because ATA participants are admitted "for the duration of the period for which the alien continues to be recognized by the Secretary of State as being entitled to that status," it is State's responsibility to determine whether participants are entitled to A-2 status upon request by DHS. According to these officials, DHS cannot take any related enforcement action until State has confirmed that participants are no longer entitled to A-2 status.<sup>22</sup> Once

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<sup>20</sup>DHS officials grant ATA participants, who are A-2 visa holders, admission to the United States for the "duration of the period for which they continue to be recognized by the Secretary of State as being entitled to that status," rather than a specific length of stay. See 8 CFR § 214.2(a)(1). This is commonly referred to as being admitted for the "duration of status," a phrase DHS uses in relation to nonimmigrant foreign nationals who, rather than being admitted for a specific period of time, are admitted and authorized to remain in the United States as long as they maintain a valid status and whose period of admission expires when the status ends.

<sup>21</sup>ATA officials noted that some absences are excused or authorized, for example, if a participant falls ill during training.

<sup>22</sup>Officials from State's Bureau of Consular Affairs explained that they work with several other State offices to make this determination; thus, we do not specify an actor more specific than "State" when discussing this and related State activities throughout this report.

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State has done so, DHS officials search U.S. Citizenship and Immigration Services databases to determine whether the participants in question have filed for a change in status or other benefits. According to DHS officials, if participants have not applied for or have been denied changes in status or other benefits, DHS may seek to remove them from the country on the grounds that they have violated the terms of their admission.

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## State Officials and Contractors Have Taken Various Steps to Ensure that Domestic Tactical Training Facilities Used by ATA Align with Security Requirements

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### State Has Taken Steps to Oversee the Contract for ATA Training, Which Includes General Requirements for Facility Security

State's steps to oversee the security of the tactical training facilities used for domestic ATA training are predicated on the GATA contract. This contract has general requirements for the secure storage of equipment, including weapons and explosives, and some more specific requirements related to obtaining licenses and for controlling access to explosives ranges and armories. The contract requires, among other provisions, that tactical training facilities have secure storage for all explosives, ammunition, and equipment. The contract also states that the armory shall be secured and alarmed and have climate-controlled weapons storage and a maintenance shop. Finally, contractors are required to have the necessary federal, state, and local permits for the storage of weapons, ammunition, and explosives. The contract stipulates that explosives storage areas and facilities shall meet all federal, state, and local criteria for safe and secure storage. For example, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has promulgated a regulatory framework for explosives storage, possession, and use, including licensing criteria specifying that ATF may verify by inspection that applicants for permits and licenses have places to store explosive materials that meet certain safety and security requirements.<sup>23</sup> The

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<sup>23</sup>27 C.F.R. § 555.49. See also 27 C.F.R. Part 555 generally and 18 U.S.C. § 843.

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regulations also dictate the type of material from which the storage containers are to be made, depending on the type of explosives to be stored, and the types of locks that should be used to secure the containers.<sup>24</sup>

State reports receiving copies of the facilities' federal licenses for storing, transporting, and handling explosives for the relevant training facilities. In addition, State oversees the GATA contract, including facility security provisions, through visits to the subcontracted training facilities and frequent interactions with the contractors.

- *Facility visits.* State officials visit the training facilities used by ATA to review security and other aspects of training delivery. For example, following the award of the GATA contract, ATA subject matter experts conducted a survey of O'Gara's training facility, which included an examination of whether the facility had secure storage and firing ranges. Officials said that they did not conduct a similar survey of the Academi training facility at the time the GATA contract was awarded because it had been previously certified under a prior ATA training contract. State and contractor officials said that ATA program managers who visit training facilities during course delivery also review the sites to ensure that they are in compliance with contract requirements.
- *Frequent interactions.* State and prime contractor officials told us that they meet weekly to discuss operational and planning issues. Officials noted that there is no set agenda for these meetings because the topics are driven by events, and all issues are open for discussion.

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## Contractors Have Taken Required and Voluntary Steps to Ensure the Security of Training Facilities Used for Domestic Tactical Training

Contractors that manage ATA's domestic training have taken a variety of required and voluntary steps to ensure security at the tactical training facilities. State officials said that it is the responsibility of the prime contractors to ensure that the training facility subcontractors have the necessary federal, state, and local permits for the storage of weapons, ammunition, and explosives. Both facilities we visited—O'Gara and Academi—had relevant, unexpired licenses. For example, they had ATF

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<sup>24</sup>27 C.F.R. § 555.203 and 27 C.F.R. §§ 555.207-211.

licenses for transporting, storing, and possessing explosives. They also had state or local licenses such as the Commonwealth of Virginia Explosives Usage Permit, the Virginia Fire Marshall's Office Certified Blaster Certification, and North Carolina county special use permits for firing ranges and training facilities. Moreover, the prime contractor that implements the majority of ATA training performs an annual audit of both tactical training facilities to assess compliance with the GATA contract, including its facility security provisions. The prime contractor found the facilities in compliance with those provisions of the GATA contract. As shown in figure 3, we also observed during our November 2016 site visits that both the O'Gara and Academi training facilities used locked explosives storage containers, as required by ATF. In addition, we observed that both training facilities had locked and alarmed armories, as required by the GATA contract, with the alarms monitored by private security companies.

**Figure 3: The O'Gara Group (left) and Academi a Constellis Company (right) Explosives Storage Containers**



Source: GAO. | GAO-17-704

In addition to taking steps to meet the GATA contract requirements, both training facilities we visited have taken voluntary actions related to facility security. ATF suggests security measures including installing fences, security cameras, and locked gates to increase security; however, the measures are not ATF licensing requirements.<sup>25</sup> During investigative surveillance operations and escorted facility site visits in September 2016 and November 2016, respectively, we observed that both domestic tactical training facilities included some of these suggested security measures such as fences and natural barriers to deter and prevent unauthorized access to the facilities, warning signs, secured gates, security patrols, and surveillance cameras. These security measures

<sup>25</sup>ATF provides a voluntary safety checklist to explosives industry members to make their businesses more secure. According to ATF, this checklist is not required by ATF but offers a guide for securing explosive materials.

align with the ATF's suggestions for storing and safeguarding explosive materials. For example, the Academi facility has one main entrance with a gate, warning signs, and 24-hour armed security guards. The facility's natural barriers include woods and farmland, and officials said that bears and snakes also deter unauthorized access. The O'Gara facility is located next to a highway and has a main entrance with a gate, a warning sign, and an unarmed security guard during business hours. The facility's other entrance is restricted by an access code-controlled electronic gate. The O'Gara facility's natural barriers also include woods and farmland. Furthermore, as shown in figure 3 above, both facilities had fences surrounding the explosives storage containers, a practice suggested by ATF, and contractors told us that the fences are locked when the containers are not being used for training.

In response to the December 2015 media reports mentioned earlier that alleged that its facility had potential security vulnerabilities, O'Gara made several changes to the physical security of its training facility. For example, officials said that in August 2016, the company constructed a wood fence to block public observation of one of the areas of the facility used during ATA training. The first photo in figure 4 shows that during our September 2016 investigative surveillance operation, we observed this wood fence and a lift barrier gate deterring vehicular access to the training grounds. The second photo in figure 4 shows a locked chain link fence that O'Gara officials told us they installed in October 2016, which we observed during our November 2016 site visit. O'Gara officials told us that in November 2016, they added slats to the newly installed chain link fence, to further reduce public observation, as shown in the third photo in figure 4.

**Figure 4: The O’Gara Group Training Facility Security Changes between August 2016 and November 2016**



**August 2016:**  
Addition of wood fence to lift barrier gate to deter vehicular access and reduce public observation of the facility.



**October 2016:**  
Addition of chain link fence to the wood fence and lift barrier gate to further deter vehicular access and reduce public observation of the facility.



**November 2016:**  
Addition of slats to chain link fence to further reduce public observation of the facility.

Source: GAO and The O’Gara Group. | GAO-17-704

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## State Completed Human Rights Vetting for a Generalizable Sample of ATA Participants and Screened for Terrorist Activity

Using available ATA participant data, we confirmed that all ATA participants in a generalizable sample of 98 participants had been vetted at the individual or unit level or were not members of a security force with police powers and, therefore, did not require Leahy vetting, according to State officials and guidance. Of the 98 ATA participants in our sample, we determined that State had vetted 96 of those participants and that 2 participants were non-security forces without police powers and, therefore, did not require vetting. U.S. law prohibits assistance from being provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed a gross violation of human rights.<sup>26</sup> State has developed policies to prevent U.S. assistance from being used to provide training for units or individuals who have committed gross violations of human rights.

We selected a generalizable random sample of 98 names from 2,271 available electronic records of ATA participants who had received training in the United States in fiscal years 2012 through 2016 and for whom ATA officials confirmed that vetting was required by State guidance.<sup>27</sup> We cross-checked these names and associated training dates with human

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<sup>26</sup>ATA delivers self-funded training for Saudi Arabia and delivers training for some partner nations through the Special Program for Embassy Augmentation and Response (SPEAR) funded by State's Diplomatic and Consular Program (D&CP). According to State officials, Leahy vetting is not required for participants who receive training funded either directly by partner nations or by D&CP, however, ATA requires that embassy officials check these individuals in databases used to identify persons associated with terrorism, crime, weapons of mass destruction, illegal weapons activity, and drug trafficking.

<sup>27</sup>After selecting our sample, through the process of following up with DRL and ATA officials, we discovered that our sample included one interpreter and one participant in SPEAR training. ATA officials said that the interpreter should not have been included in the data because interpreters are not participants and that ATA would remove all interpreters from the participant data system. Officials also said that the misidentification of the SPEAR participant was the result of a data entry error in their system. Excluding these individuals reduced our original sample of 100 ATA participants to 98. The confidence interval for our estimate of those participants who were vetted to the full population of 2,271 ATA participants is between 97 and 100 percent, with a 95-percent confidence level. However, we could not generalize our findings about vetting from these participants for whom ATA had records to those participants who were not recorded in its electronic data system.



rights vetting data from State's INVEST system—used to process and document human rights vetting—to determine if they were vetted before receiving training.<sup>28</sup> For any participants for whom we could not readily confirm vetting, we worked with DRL and ATA officials to identify additional supporting evidence to confirm that participants had been vetted before training was provided. For example, DRL provided us with records from INVEST based on the use of "ATA" in INVEST's funding source field. However, in some instances, vetting officials had used the broader category of funding of which ATA funds are a subset; as a result, those INVEST records were not included in the original data provided to us.

In addition to prohibitions related to human rights violations, U.S. law prohibits assistance from being provided to any country if the Secretary of State has determined that the government of that country has repeatedly provided support for acts of international terrorism.<sup>29</sup> From fiscal years 2012 through 2016, those countries were Cuba,<sup>30</sup> Iran, Sudan,<sup>31</sup> and Syria,<sup>32</sup> none of which were ATA recipients during that time period.

Beyond country-level prohibitions on support for state sponsors of terrorism, there is no formal requirement to screen individuals for terrorist activities, according to State officials. However, State includes criminal and terrorism screenings as part of its process at both the embassy and headquarters levels for checking the names of potential ATA participants before nominating them. For example, State described the process by which U.S. embassy officials conduct name checks through access to a variety of law enforcement databases, including the Terrorist Screening

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<sup>28</sup>In May 2017, the Office of Inspector General for the Department of State and the Broadcasting Board of Governors reported that it found that CT, ATA, and DRL had Leahy vetted through the INVEST system all students in 21 classes conducted in Pakistan. See Department of State and Broadcasting Board of Governors, Office of Inspector General, AUD-MERO-17-37.

<sup>29</sup>22 U.S.C. § 2371.

<sup>30</sup>Cuba was removed from the state sponsors of terrorism list in fiscal year 2015.

<sup>31</sup>Sudan is on ATA's list of potential partner nations as of fiscal year 2013; however, Sudan is designated as an inactive partner nation because of "lack of funding, political factors, or refusal to cooperate with Leahy vetting requirements."

<sup>32</sup>Syria was allocated ATA funding in fiscal year 2016; however, according to State's fiscal year 2016 Congressional Budget Justification, assistance for Syria was requested for the Syrian Opposition Coalition, its component bodies, affiliated opposition entities, and others but was not for the current Syrian regime.

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Center's Terrorist Screening Database. The Terrorist Screening Database contains information about individuals known or suspected to be or to have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism and terrorist activities. In addition, State officials said that regional bureau personnel conduct terrorist activity screening of ATA participants through a national counterterrorism database. Further, State officials said that all visa applicants, including ATA participants, are subject to a standard suite of screening tools.

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## Weaknesses Exist in ATA Data and Oversight of Participants, Some of Whom May Still Be in the United States

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### ATA Course and Participant Data Are Incomplete and Sometimes Inaccurate

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ATA program data on the courses that ATA delivered in fiscal years 2012 through 2016, and the participants of those courses, are incomplete and inaccurate. ATA collects and maintains electronic information about delivered ATA courses and the participants of those courses in two separate systems: Snapshot, for course data, and the Student Training and Reporting Systems, for participant data. In response to our request for data from these systems, State initially provided data from the participant data system that included about 16,000 participants, rather than the more than 56,000 participants ATA reported training in fiscal years 2012 through 2016. In response to our questions about the completeness of these data, State undertook an effort to review available e-mail-based and other participant data that had not been systematically added to its participant data system and provided us with a revised response that included about 8,600 additional records. Therefore, the revised electronic participant data, which included about 25,000 participant records, remained incomplete, missing records for more than half of the reported 56,000 participants. In addition, the participant and course records that were included in the revised data were not always accurate.

- *Course data.* ATA course data are incomplete in that the data do not include all delivered courses. For the 4 fiscal years 2012 through

2015, ATA reported that 1,987 courses were delivered.<sup>33</sup> The course data ATA provided to us included only 1,633 courses, or about 82 percent, of the courses ATA reported to have delivered in those 4 years. Our analysis of ATA participant data similarly indicates that the course data are incomplete, as some courses listed in the participant data were not included in the course data. For example, we identified 25 participant records that were associated with a Senior Crisis Management course that was not included in the course data. In addition to being incomplete, ATA course data elements are not always accurate. For example, the number of “participants” included in the course records ATA provided to us was not always accurate. ATA officials told us that while some course records may have initially included the maximum number of participants a course could accommodate, it was intended that records would be updated with the number of actual participants following the conclusion of training. In reviewing fiscal years 2012 through 2016 course records, ATA officials noted that some records may not have been updated and, therefore, they could not tell us if the participant numbers included in the course data represented the maximum capacity of a course or the number of participants who ultimately attended each course. Notwithstanding these weaknesses, ATA officials told us that the number of participants included in the course data system from which data were provided to us is used to report the official number of ATA students trained. However, the aggregate number of participants included in the course data provided to us included about 41,000 participants, or about 75 percent of the 56,000 participants ATA reported to have trained in fiscal years 2012 through 2016.<sup>34</sup> We were not able to determine which total participant number was more reliable. ATA officials told us that the difference between the two figures might be explained by “in-house” training—such as sustainment training and mentorship—that was delivered to participants in Afghanistan and that was not captured in electronic

<sup>33</sup>We compared the number of courses included in the data provided to us with the number of courses ATA reported to have delivered in reports covering fiscal years 2012 through 2015. As of September 2017, ATA had not published a report covering fiscal year 2016.

<sup>34</sup>As of September 2017, ATA had not published a report covering fiscal year 2016, so ATA officials provided us with the number of participants to be reported as trained in fiscal year 2016. We previously reported on inaccuracies in ATA annual reports in GAO, *Combating Terrorism: State Department’s Antiterrorism Program Needs Improved Guidance and More Systematic Assessments of Outcomes*, [GAO-08-336](#) (Washington, D.C.: Feb. 29, 2008).

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data systems. ATA officials said that they plan to begin capturing such information this fiscal year, 2017.

- *Participant data.* Data on individual participants that the ATA program collects and maintains in its electronic participant data system are also incomplete. As noted above, data in ATA's participant data system account for only about 25,000, or less than half of the 56,000 participants ATA reported to have trained in fiscal years 2012 through 2016.<sup>35</sup> In addition, some individual electronic participant records do not contain complete information for all elements that the system is designed to capture. For instance, while ATA policy instructs officials to collect participant unit affiliations, we found that 15 percent of the approximately 25,000 participant records that ATA provided to us did not include information on each participant's current assigned unit. In addition to our concerns of completeness, we found that elements of the participant records included in the electronic data were not always accurate. For example, some participant records included course dates that did not align either with course dates identified in ATA's course data or provided to us directly by the contractors who delivered the training. Moreover, the recipient partner nation included in some of ATA's participant records was incorrect. For example, we identified 27 participant records with the partner nation incorrectly entered as Jordan, which was the location of the regional training facility where the training occurred, rather than the home country of the participants who had received the training. Further, hundreds of records noted a government agency, such as Ministry of the Interior, or broad job type, such as police, in the "unit" data field, rather than a unit name. In addition, some participant records included a job title, such as security officer, in that data field.

ATA officials acknowledged weaknesses in their processes to capture course and participant data and have taken some steps to improve the completeness of their participant data since the initiation of our review. First, as previously described, in response to our requests for data, ATA officials undertook an effort to add participant records that previously existed only in e-mails to the electronic participant data system. With this effort, ATA officials identified about 8,600 records that they added to their electronic participant data system and that we included in the data we used for our analysis. Second, officials noted that, partly in response to our ongoing review, ATA revised the standard operating procedures for

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<sup>35</sup>As of September 2017, ATA had not published a report covering fiscal year 2016, so ATA officials provided us with the number of participants to be reported as trained in fiscal year 2016.

data collection in November 2016 to more clearly guide staff who enter data into and use the course and participant data systems. For example, the revised procedures clarify the information that officials should capture in the “participant” field of the course data system, noting that when entering the numbers under the participant field, officials should enter the number of participants who actually participated in the course and not the maximum number of participants the course can accommodate. In addition, the revised procedures outline steps that officials should take to help ensure the quality of information in the participant data system and the alignment of that participant data with information in the separate course data system.<sup>36</sup>

State’s *Foreign Affairs Manual* notes the importance of producing and maintaining adequate documentation of agency activities.<sup>37</sup> In addition, ATA policy instructs officials to collect student names and unit affiliations, among other things, and State’s fiscal year 2014 Full Performance Plan Report identifies the “number of individuals in the security sector trained in counterterrorism knowledge and skills” as a performance indicator for the ATA program for fiscal years 2014 through 2017.<sup>38</sup> Further, the *Standards for Internal Control in the Federal Government* state that agencies should clearly document transactions and all significant events.<sup>39</sup> This could include records of courses delivered and participants trained. Federal internal control standards also state that management should periodically review procedures and related control activities to determine that those activities are implemented appropriately. Although ATA has revised its data collection procedures with the intent to improve data completeness and accuracy, ATA officials told us that prior standard operating procedures to capture electronic data have not always been followed. For example, they explained that a series of personnel changes involving staff responsible for data entry led to inconsistent implementation of the data collection procedures in place during fiscal years 2012 through 2016. Without management efforts to ensure the

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<sup>36</sup>Because our review covered fiscal years 2012 through 2016, we did not systematically analyze the extent to which officials have implemented the November 2016 (fiscal year 2017) revisions or how that implementation may be improving ATA data collection.

<sup>37</sup>Department of State, *Foreign Affairs Manual*, 5 FAM 420, “Creating Records.”

<sup>38</sup>This indicator, 1.1.3-2, is included in State’s performance plan for the Counterterrorism Bureau, which is responsible for ATA program oversight.

<sup>39</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

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implementation of ATA's revised procedures, ATA will lack reasonable assurance that its data collection efforts will improve data completeness and accuracy, and officials may not be able to accurately report the number of participants trained, in line with program performance indicators.

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### State and DHS Have Acted on Incidents of Participants' Unauthorized Departures from Domestic ATA Training Activities

State and DHS have acted on 10 documented participant unauthorized departures<sup>40</sup> from ATA training activities in the United States since fiscal year 2012.<sup>41</sup> Of the 10, 3 departed from their training facility during overnight hours in 2013; 6 fled during escorted class excursions, such as shopping trips, in 2014; and 1 absconded in 2016 during escorted transit from the airport to the training facility. After making their unauthorized departures, these 10 participants have pursued various courses of action. According to DHS data, 2 of the 10 departed the United States for countries other than their own home country, and 6 remain in the United States, having applied to DHS for asylum and been granted a work

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<sup>40</sup>In this report, we use the term "unauthorized departures" to refer to situations in which ATA participants failed to attend ATA training activities because they had departed during escorted transit or domestic training activities and could not be located by ATA or contracted officials delivering the training.

<sup>41</sup>In addition to the previously discussed analysis of Leahy vetting compliance for a sample of ATA participants, we undertook an analysis to confirm the vetting of the 10 participants who made unauthorized departures from ATA activities in the United States. One did not require vetting because the relevant training was funded with resources not subject to human rights vetting requirements, according to ATA officials. We cross-checked the names of the remaining 9 participants with human rights vetting data from the INVEST system and found support that State had vetted 7 of them. ATA told us that State had vetted the remaining 2 at the unit level by vetting their unit commander, as is permitted under State Leahy vetting guidance. However, the electronic ATA participant data did not identify the units to which these 2 participants were assigned. Therefore, it was not possible to determine whether (a) these 2 participants had not been vetted or (b) the missing unit information precluded us from confirming that the 2 participants belonged to the same unit as the vetted unit commander.

authorization while their asylum applications are adjudicated by DHS.<sup>42</sup> According to DHS officials, none of these 8 former ATA participants are currently in violation of the terms of their admission to the United States, as they each have departed or have pending applications for an alternative immigration status. The ninth ATA participant, who made an unauthorized departure from an October 2014 training event in the United States, according to DHS, is believed to be in the United States without having applied for an alternative immigration status. ATA officials explained that, after discovering the participant's absence, ATA notified DHS that a participant was missing. Officials told us that when DHS learns about this type of incident, DHS officials request notification from State that the participant in question is no longer entitled to A-2 status, which was predicated on their participation in State's ATA training, as described previously.<sup>43</sup> In this case, once DHS made this request and State determined that the ATA participant was no longer entitled to A-2 status, the participant became subject to potential removal from the United States. As of June 2017, according to DHS, the former participant remains the subject of an open investigation. DHS officials told us that they are taking proactive steps to locate the individual, who was not known to pose a threat to national security. As of September 15, 2017, we had not received requested information regarding the status of the tenth individual.

When each of these 10 participants made unauthorized departures, the ATA program had standard operating procedures in place to direct officials' actions in cases where a participant makes an unauthorized departure from training or during transit between the airport and training facility before and after training. However, ATA officials noted that the procedures were not always followed. Further, the procedures in place through 2014 did not specifically include sharing information with DHS. Our analysis of information related to the 9 documented unauthorized departures during fiscal years 2013 and 2014 indicates that in 3 cases,

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<sup>42</sup>Eligible applicants can apply for an Employment Authorization Document if his or her asylum application has been pending for 150 days, not including any delays requested or caused by the applicant, or if the applicant has received a recommended approval of asylum. U.S. Citizenship and Immigration Services cannot issue an Employment Authorization Document until the asylum application has been pending 180 days or more. An applicant whose asylum application is denied within the 150-day period is not eligible to apply for employment authorization. See 8 C.F.R. § 208.7(a).

<sup>43</sup>As noted previously, according to State officials, individuals will generally only be recognized as entitled to A-2 status during participation in ATA training and a reasonable amount of time for travel to and from the United States.

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more than a year passed before relevant information was provided to the DHS unit responsible for investigating nonimmigrant visa holders who violate their immigration status. In January 2015, ATA revised these standard operating procedures to clarify the steps to be taken if a participant makes an unauthorized departure. For example, the revised procedures note that if a participant attending ATA training has been missing for 24 hours, ATA should contact the U.S. Regional Security Officer for the participant's partner nation and notify DHS. ATA officials provided information to DHS on the same day that the aforementioned 2016 unauthorized departure occurred.

Both training facilities we visited also had procedures providing guidance to their employees specifying how to respond to the unauthorized departure of an ATA participant. For example, the facilities' procedures acknowledge that facility staff are not to restrain participants from departing facilities, because the terms of their admission to the United States do not restrict them from doing so. In addition, the Academi facility guidelines for delivering ATA training instruct employees to "contact any Academi ATA staff immediately" if any participants are missing during an outing. The O'Gara facility's procedures for hosting international students note that "although O'Gara and our prime contractors work hard to ensure 100 [percent] accountability of all international students, they may still decide to prematurely depart training without notice or permission. When this occurs, O'Gara is required to immediately notify the respective prime contractor, and in turn, the associated [ATA program official]. O'Gara's role is an investigatory support role whereas we provide witness statements, lead instructor statements, copies of associated close circuit television camera's footage and other information as required."

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### **ATA's Domestic Participant Oversight Process Does not Include Confirming that Participants Return to Their Home Countries after Training, and the Departure of Some Participants Is Unconfirmed**



According to ATA officials, ATA's oversight process for domestic training participants does not include confirming that participants return to their home countries to use their new skills, and the departure of some participants who completed their training is unconfirmed. ATA officials and staff at the training facilities we visited described their responsibilities for overseeing ATA participant departures to include escorting ATA participants to the airport, helping them check in for their flights, and escorting them to airport security. We spoke with Regional Security





Officers who help oversee ATA activities in three partner nations, all of whom described informal follow-up processes with ATA participants, including those trained abroad, but none of whom used a systematic process to confirm the return of all participants trained in locations outside their home countries. ATA's standard operating procedure for unauthorized departures does not cover this portion of a participant's travel home.

Prior to our review, ATA officials had not reviewed data to determine if any participants who completed training failed to leave the United States and return to their home country. In response to our inquiry, during fiscal year 2017, ATA identified 20 former ATA participants for whom DHS records do not indicate departures from the United States following the completion of their ATA training in fiscal years 2012 through 2016, as seen in figure 5.

**Figure 5: State's Process for Overseeing Domestic Antiterrorism Assistance Training Participants**

	Arrives in United States	Clears airport security screening	Arrives in home country
ATA participant activity	Escorted training and transit		Unescorted transit
Available methods to detect unauthorized departures	- Escorted transit from and to airport <sup>a</sup> - Daily attendance throughout training		None
Number of known unauthorized departures from FY 2012 - 2016 ATA activities	<b>10</b> 		<b>20</b> 
State process for notifying DHS of unauthorized departures from ATA activities	State alerts DHS 24 hours after discovering unauthorized departure <sup>b</sup>		U.S. embassy staff conduct informal follow-up
	No formal process		Not applicable
	No formal process		No formal process

 Oversight process  
 No formal oversight process

Legend: State = Department of State; DHS = Department of Homeland Security; ATA = Antiterrorism Assistance; FY = fiscal year

Source: GAO analysis of Department of State information. | GAO-17-704

<sup>a</sup>ATA may or may not provide escort to the airport following the conclusion of training for participants who undertake personal travel, as permitted by the terms of their admission to the United States.

<sup>b</sup>As of January 2015.

Following the initiation of our engagement, ATA officials requested from DHS all arrival and departure records for foreign nationals admitted to the United States in fiscal years 2012 through 2016 using A-2 visas, including

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ATA participants.<sup>44</sup> ATA officials reported that they reviewed departure information for more than 69,000 A-2 visa holders recorded in ADIS to manually identify departure information for 2,773 ATA participants trained in the United States during that time period and included in electronic participant data.<sup>45</sup> ATA's analysis identified 20 participants for whom DHS data did not include departure records and who, therefore, might still be in the United States.<sup>46</sup> ATA officials told us that they had asked the U.S. Regional Security Officer for the partner nation of 1 of these participants for any related information and that the officer had been unaware that the participant may not have returned from training. DHS information we requested for each of the 20 participants in question indicated that 1 had applied for an alternative immigration status, but DHS found no records of applications for immigration status changes for the remaining 19. Eleven of these 19 had been participants in the same fiscal year 2013 course. ATA officials noted that during their review of ADIS information, each of the 20 appeared to be "in legal status," which DHS officials explained to us would remain the case for all nonimmigrants with A-2 status until DHS received a determination from State that any individuals in question were no longer entitled to A-2 status. As a result, a draft of this report provided to State in July 2017 included a recommendation that State provide information to DHS about former participants who may have remained in the United States following the completion of ATA training. After reviewing the draft report and recommendation, ATA formally notified DHS about such former participants in August 2017.

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<sup>44</sup>As noted above, State issues A-2 visas to ATA participants bound for training facilities in the United States. ADIS records from fiscal years 2012 through 2016 do not include information that could be used to specifically identify ATA participants. In June 2017, DHS officials told us that pending changes to ADIS may allow for the identification of ATA participants, using the nonimmigrant comment field.

<sup>45</sup>State officials could not tell us how many of the 56,000 individuals ATA reported to have trained in fiscal years 2012 through 2016 were trained in the United States. We identified training locations for each record from the participant data system that was associated with courses included in the course data system, which includes training location. For any participant records associated with courses that did not appear in the course data, we asked ATA to provide additional information. Of the 24,885 participant records for fiscal years 2012 through 2016 that ATA provided to us, we identified 2,712 unique participant records that were associated with training facilities in the United States. However, given the incompleteness of the participant data we previously described in this report, the 2,712 may not represent the actual number trained in the United States during fiscal years 2012 through 2016. Further, the difference between ATA's 2,773 participants and our 2,712 participants may be in part because of our elimination of duplicate participant records.

<sup>46</sup>ATA's analysis did not account for participants not included in ATA's participant data.

State and DHS officials stated that A-2 status complicates the ability of DHS officials to independently identify individuals who remain in the United States and may warrant removal. DHS uses ADIS to maintain, among other things, entry and departure data for tracking immigrants and nonimmigrants and to facilitate the investigation of individuals who may have violated their immigration status by remaining in the United States beyond their authorized stay. DHS officials explained that for visitors admitted with an “admit until date,” DHS systems can alert officials that an individual who should have departed may not have complied with the terms of their admission. However, according to DHS officials, because all A-2 visa holders, including ATA participants, are admitted to the United States for duration of status without a specific admit until date, as previously described, there is no similar indicator in ADIS that an individual may have remained in the United States beyond their authorized stay. Instead, DHS would need other means to identify individuals with A-2 status, including ATA participants, who may warrant follow-up. State and DHS officials suggested that such identification could happen if DHS officials encounter the individual in the course of other activity or if someone tells DHS that the individual may no longer be eligible for A-2 status. For example, DHS officials told us that for some training programs sponsored by the Department of Defense whose participants are also admitted to the United States on A-2 visas, the agency asks U.S. military attachés stationed in partner nations to confirm participants’ return so that the department can notify DHS of any who do not. As noted previously, regardless of how DHS learns of such A-2 status individuals, State must issue an official determination that the individuals are no longer entitled to their A-2 status before DHS can begin removal proceedings. State officials involved in making these determinations noted that they would similarly not be aware of such individuals unless (a) someone familiar with the situation told them; or (b) DHS, having otherwise learned about such individuals, requested an official determination regarding their eligibility for A-2 status.

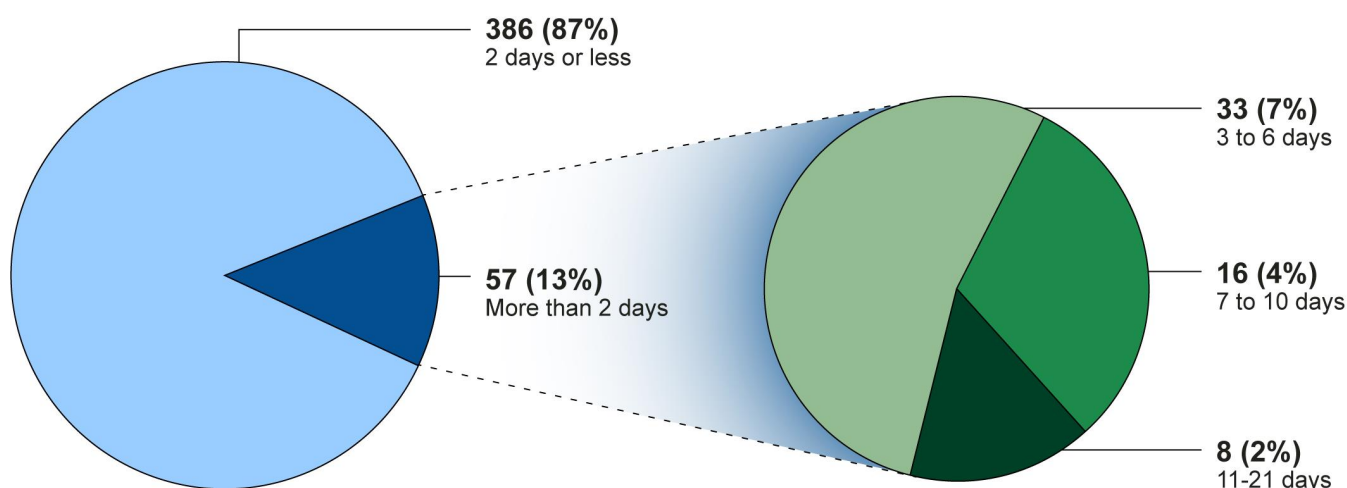
ATA officials at headquarters and Regional Security Officers posted in two partner nations told us that while some domestic ATA participants engage in personal travel following the conclusion of training, they typically depart the United States immediately.<sup>47</sup> Using a subset of 443 participants trained in the United States during fiscal years 2012 through

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<sup>47</sup>As noted earlier in this report, the terms of admission for all A-2 visa holders, including ATA participants, allow individuals to engage in travel within the United States, according to DHS officials.

2016 for whom we could reliably determine departure dates,<sup>48</sup> we found that 386 participants, or 87 percent, left the United States within 2 days following the completion of training, as shown in figure 6. The remaining 57 participants, or 13 percent, remained in the United States for 3 to 21 days before departing.<sup>49</sup>

**Figure 6: 443 Fiscal Year 2012-2016 ATA Participants with Known Departure Dates by Length of Stay in the United States Following Completion of Training**



Source: GAO analysis of Departments of State and Homeland Security data. | GAO-17-704

<sup>48</sup>Of the 24,885 fiscal year 2012 through 2016 participant records that ATA provided to us, we identified 2,712 unique participant records that were associated with domestic training facilities. We used available State data to add dates of birth to 535 participant records. Of the 535, we used DHS data to determine the departure dates for 443 participants. For the remaining 92, we could not reliably identify departure records that aligned with both the names from ATA's participant data system and the dates of birth we identified for those participants and, therefore, did not include them in our analysis of participant departure behavior. In addition to these 92, we did not have sufficient information to examine the departure dates of the more than 2,100 participant records for which we could not reliably identify dates of birth, and we could not account for those participants not included in ATA's participant data. Therefore, we cannot infer that all participants who were trained in the United States and subsequently departed did so following the patterns we report for this subset.

<sup>49</sup>Prior to determining whether each of these individuals had associated departure records, we asked DHS to identify if any appeared in DHS systems used to manage applications for changes in immigration status and investigations of individuals who violated the terms of their admission to the United States. DHS did not find any exact matches of these ATA participant names and dates of birth in related systems. We and DHS acknowledge that the searches are limited for several reasons, including potential differences in the spellings of names translated from foreign languages.

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The ATA program has no process for confirming that participants return to their home countries after completing training—either immediately or following personal travel—because there is no legal requirement that they do so, according to ATA officials. However, the *Standards for Internal Control in the Federal Government* state that agencies should design control activities such as policies, procedures, and mechanisms to achieve objectives and enforce management directives. In addition, a stated purpose of the ATA program is to enhance the antiterrorism skills of friendly countries by providing counterterrorism training and equipment. Without a process to confirm and document that ATA participants return to their home countries, ATA may not be able to assess the extent to which participants are making use of training to help detect, deter, and prevent acts of terrorism, in line with program goals. In addition, without some way to identify ATA participants who do not return home and, therefore, may have remained in the United States following the completion of ATA training, ATA may not be able to provide information to DHS about participants whose failure to depart may warrant enforcement action.

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## Conclusions

Building partner capacity is a central focus of U.S. counterterrorism strategy, and the ATA program, for which State allocated more than \$700 million in fiscal years 2012 through 2016, is among State's primary mechanisms for accomplishing that goal. ATA has demonstrated a commitment to making improvements to the program with recent efforts such as correcting errors and omissions in historical participant data. However, we identified weaknesses in program data and participant oversight that may limit the effectiveness of program management.

First, we found significant weaknesses in ATA program data. Officials told us that procedures for the collection of course and participant data have been inconsistently implemented. Although State revised these procedures in 2016, in light of the limited implementation of prior procedures, management review of related control activities could help ensure that revised procedures are properly implemented. Without data quality improvements, program managers may not have comprehensive or accurate information with which to confirm compliance with human rights vetting requirements, ensure participant compliance with the terms of their admission to the United States, and report on and assess the achievement of program goals.

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Second, ATA does not confirm that all participants trained in the United States or at regional training centers return to their home countries after training because it lacks a process to do so. ATA's analysis of the available electronic participant data indicated that the vast majority of participants who received ATA training in the United States during fiscal years 2012 through 2016 departed following the completion of training. However, their analysis of that limited data also indicates that ATA had been unaware of at least 20 who may have remained in the United States. Without knowing whether all participants trained in the United States or at regional training centers return to their home countries to implement the skills they learned during ATA training, it may be difficult to accurately assess the effectiveness of program activities. In addition, without this information for those trained in the United States, it will be difficult for ATA to identify and provide information to DHS about participants whose unconfirmed departures may warrant enforcement action.

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## Recommendations for Executive Action

We are making the following two recommendations to the Department of State:

The Assistant Secretary of State for Diplomatic Security should take steps to ensure the implementation of revised standard operating procedures for collecting electronic ATA course and participant data.  
(Recommendation 1)

The Assistant Secretary of State for Diplomatic Security should develop and implement a process to confirm and document whether future ATA participants return to their home countries following the completion of ATA training and, for any participants trained in the United States who do not, share relevant information with the Department of Homeland Security. (Recommendation 2)

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## Agency Comments and Our Evaluation

We provided a draft of this report, which included three recommendations, to the Departments of State and Homeland Security for comment. State provided written comments, which we have reprinted in appendix II, concurring with all of our recommendations. In response to the first recommendation, State noted ATA had revised its standard

operating procedures for collecting data and shared the document with us. We will follow-up with ATA regarding steps taken to ensure the implementation of those procedures. In response to the second recommendation, State stated that, by the end of the year, it will implement a process to ensure that participants sent to ATA training in the United States return to their home countries. We will follow-up with ATA regarding the implementation of such a process for participants sent to ATA training in the United States or other locations outside of their home countries. Lastly, State noted that it had already implemented the third recommendation. Having received evidence that State had provided the relevant information to DHS, we removed this recommendation from the final report. The Department of Homeland Security provided technical comments, which we incorporated as appropriate.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies to the appropriate congressional committees and to the Departments of State and Homeland Security. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-6991 or [Farbj@gao.gov](mailto:Farbj@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.

Jessica Farb  
Director, International Affairs & Trade

## Appendix I: Scope and Methodology

To determine what steps the Department of State (State) has taken to ensure that facilities used for Antiterrorism Assistance (ATA) training in the United States align with applicable facility and equipment security requirements, we analyzed the security requirements in the Global Antiterrorism Training (GATA) contract, which is used to secure third-party services to manage and deliver ATA training activities.<sup>1</sup> We compared those requirements to documents, such as federal, state and local licenses, obtained from the contractors who implement GATA as well as to observations we made during investigative surveillance operations and escorted site visits to two domestic tactical training facilities used by ATA. We selected this nongeneralizable sample of two facilities because a significant proportion of ATA domestic students were trained there, and they were locations with courses that had equipment that needed to be secured on-site. We also reviewed Bureau of Alcohol, Tobacco, Firearms and Explosives regulations for explosives licenses and storage and suggestions for facilities that store and use explosives. Furthermore, we reviewed additional State and contractor documents related to facility and equipment security such as a survey and audits of the training facilities. We interviewed State program and contracting officials about their oversight of the GATA contract requirements. We also interviewed contractor officials to obtain information on how they comply with the GATA contract; federal, state and local licensing requirements; and other facility and equipment security measures they employ.

To assess the extent to which State has vetted domestic ATA participants for human rights concerns, we reviewed Section 620M of the Foreign Assistance Act of 1961 (also known as the State Leahy law) and analyzed State documents establishing its policies and procedures for complying with that law and conducting human rights vetting. For example, we analyzed policies and procedures documented in State's

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<sup>1</sup>The GATA contract was originally awarded to three prime contractors; however, only two of those prime contractors currently implement ATA training, according to ATA officials. We reviewed documentation related to the GATA contract with one prime contractor and were told by ATA officials that both contracts included identical statements of work. Throughout this report, we will refer to these as the GATA contract.



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2012 and 2017 Leahy vetting guides and State's 2010 International Vetting and Security Tracking (INVEST) system user guide. Using the fiscal years 2012 through 2016 ATA participant data, we developed a generalizable random sample of 100 names from a population of 2,271 ATA participants who were trained in the United States and receive foreign assistance funding for which vetting is required, in accordance with State guidance.<sup>2</sup> We then cross-checked the names in our sample with human rights vetting data from the INVEST system to verify that the ATA participants were vetted before receiving the training. For any participants for whom we could not readily confirm vetting, we worked with State's Bureau of Democracy, Human Rights, and Labor (DRL) and ATA officials to identify additional supporting evidence to confirm that participants had been vetted before training was provided. After selecting our sample, through the process of following up with DRL and ATA officials, we discovered that our sample included one interpreter and one participant in the Special Program for Embassy Augmentation and Response (SPEAR) training—for whom human rights vetting would not have been required by State guidance, according to officials. ATA officials said that the interpreter should not have been included in the data because interpreters are not participants and that ATA would remove all interpreters from the participant data system. Officials also said that the misidentification of the SPEAR participant was the result of a data entry error in their system. Excluding these individuals reduced our sample size from 100 to 98. As discussed in this report, ATA's participant data were incomplete and, therefore, we could only draw our sample from those participants trained in the United States for whom ATA had electronic records in its data system. We determined that the data available were sufficiently reliable (1) to identify participants who had taken courses in the United States and (2) that the data could be used to assess whether the participants for whom there were records in ATA's participant data system had been appropriately vetted. However, we could not generalize our findings about vetting from this group for which ATA had records to

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<sup>2</sup>ATA delivers self-funded training for Saudi Arabia and delivers training for some partner nations through the Special Program for Embassy Augmentation and Response (SPEAR) funded by State's Diplomatic and Consular Program (D&CP). According to State officials, Leahy vetting is not required for participants who receive training funded either directly by partner nations or by D&CP; therefore, we removed these participants from the population from which we selected our sample, changing the total number of relevant ATA participants from 2,712 to 2,271. In lieu of Leahy vetting, ATA officials said that they require embassy officials to check these individuals in databases used to identify persons associated with terrorism, crime, weapons of mass destruction, illegal weapons activity, and drug trafficking.

those participants who were not recorded in its system. The confidence interval for our estimate that all 98 participants in our sample had been vetted to the full population of 2,271 recorded participants who were trained in the United States and for whom vetting was required is between 97 and 100 percent, with a 95-percent confidence level. To gather additional information on human rights vetting, we interviewed officials from ATA and DRL, which oversees human rights vetting in coordination with the regional and relevant functional bureaus.

To describe how State screens participants for terrorist activity, we reviewed U.S. law that prohibits assistance from being provided to any country if the Secretary of State has determined that the government of that country has repeatedly provided support for acts of international terrorism. Those states for which the Secretary has made this determination are referred to as state sponsors of terrorism. We compared the countries on that list of state sponsors of terrorism to the countries for which ATA allocated funding in fiscal years 2012 through 2016 as well as the list of potential ATA partner nations as of fiscal year 2013. In addition, we interviewed State officials about their processes and embassy data systems used for screening potential ATA participants for terrorist activity.

To examine the extent to which State has implemented data collection and program policies to promote oversight of ATA participants, we analyzed ATA participant and course data and Department of Homeland Security (DHS) arrival and departure data. We reviewed State, DHS, and contractor documents, including State's report on its analysis of immigration exit records for ATA participants trained at U.S. facilities, and interviewed cognizant agency officials and contractors. With respect to reporting on the ATA participant and course data, our review of State's response to our initial data request generated questions about the quality and completeness of the information provided. In response to our questions, State undertook an effort to review program participant data and provided us with a revised response. Using the revised data, we analyzed the extent to which the data included records for all participants ATA reported to have trained in fiscal years 2012 through 2016 as well as the extent to which data fields were populated. We also compared information in data fields that appeared in both ATA participant and course data systems to determine data accuracy and consistency. Further, we compared ATA data to data provided directly by the contractor that implemented the majority of ATA training during fiscal years 2012 through 2016 as an independent source of information with which to assess the accuracy and completeness of ATA's participant and

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course data, particularly course dates used in other analyses. We reviewed information about the systems used to house the data and spoke with knowledgeable agency officials in Washington, D.C., and Dunn Loring, Virginia, responsible for the databases about agency processes for collecting the data and for ensuring data quality. While the data provided were sufficiently reliable for the purposes of documenting the extent to which State has implemented data collection processes to promote oversight of ATA participants, the data in the participant and course data systems are not comparable, and neither system contains complete and accurate records, as discussed in this report. In addition to reporting on these problems, we augmented a subset of records with date of birth information that allowed us to use DHS data to analyze domestic participant departures, as described below, but noted that the results for this subset are not generalizable to the universe of all ATA participants. In addition, we reviewed guidance included in ATA's standard operating procedures for collection of participant data. The *Standards for Internal Control in the Federal Government* also state that agencies should clearly document transactions and all significant events, such as records of courses delivered and participants trained.<sup>3</sup> Federal internal control standards also state that management should periodically review procedures and related control activities to determine that those activities are implemented appropriately. Furthermore, State's *Foreign Affairs Manual* notes the importance of producing and maintaining adequate documentation of agency activities.<sup>4</sup> State's fiscal year 2014 Full Performance Plan Report identifies the "number of individuals in the security sector trained in counterterrorism knowledge and skills" as a performance indicator for the ATA program for fiscal years 2014 through 2017.<sup>5</sup>

With respect to reporting on ATA's policies regarding unauthorized departures from training activities in the United States, we reviewed ATA documents regarding the 10 documented unauthorized departures and discussed these events with ATA officials and contractor staff at the facilities that hosted some of the participants who departed. We also discussed such events via teleconferences with U.S. embassy officials in

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<sup>3</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

<sup>4</sup>Department of State, *Foreign Affairs Manual*, 5 FAM 420, "Creating Records."

<sup>5</sup>This indicator, 1.1.3-2, is included in State's performance plan for the Counterterrorism Bureau, which is responsible for ATA program oversight.

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three ATA partner nations—Bangladesh, Indonesia, and Jordan—selected based on criteria such as number of ATA participants trained and in light of countries included in recently completed or ongoing GAO and State Inspector General reviews of the ATA program. We also obtained and analyzed information from DHS regarding the departure and immigration status for 9 of these 10 participants. We analyzed ATA and contractor documents outlining procedures to be used if an ATA participant makes an unauthorized departure from training activities in the United States. Regional training facilities are outside the scope of this review. State officials told us they were unaware of any instances of unauthorized departure from regional training centers.

With respect to reporting on ATA's processes regarding participants who fail to return to their home country following training at domestic facilities, we discussed existing related policies and procedures with knowledgeable ATA officials. The *Standards for Internal Control in the Federal Government* state that agencies should design control activities such as policies, procedures, and mechanisms to achieve objectives and enforce management directives. A stated purpose of the ATA program is to enhance the antiterrorism skills of friendly countries by providing counterterrorism training and equipment. To conduct an analysis regarding the extent to which ATA participants trained at domestic facilities depart immediately following the completion of training, we identified 2,712 unique participant records among the 24,885 records ATA provided that were associated with fiscal years 2012 through 2016 training at domestic facilities. For 535 of these 2,712 participants, we were able to obtain dates of birth for DHS and GAO to use for data reliability purposes in identifying and analyzing related departure data, respectively. To identify birth dates, we used manual and automated processes to augment ATA participant records with date of birth information from other State systems to serve as a unique identifier for

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data reliability purposes.<sup>6</sup> Of these 535, we determined the departure date for 443 using data from the DHS Arrival and Departure Information System (ADIS).<sup>7</sup> To do so, we manually matched participant names in ATA data with names in DHS departure data using dates of birth to help ensure that ATA participant records and DHS departure data pertained to the same individual. As noted above, the results for this subset of 443 participants, for whom we could obtain birth dates and departure data, are sufficiently reliable to report on the length of stay in the United States after these participants completed training but cannot be generalized to the other 92 participants for whom we found birth dates but not departure records, or to the nearly 2,200 for whom we did not find birth dates, or to participants who were not included in ATA's participant data system. Therefore, we cannot infer that all participants who were trained in the United States and subsequently departed did so following the patterns we report for this subset. For each of the 443 participant records for which we identified departure data, we used the date identified in the ATA participant data system as the final day of training and the departure date from ADIS to calculate the number of days that each participant remained in the United States following the conclusion of ATA training. In addition to our analysis of length of stay following the conclusion of training, we asked DHS to identify if any of the 535 participants for whom we identified dates of birth appeared in DHS systems used to manage applications for changes in immigration status and investigations of individuals who violated the terms of their admission to the United States. DHS did not find any exact matches for these 535 ATA participant names and dates of birth in related systems. We and DHS acknowledge that the searches for exact matches are limited for several reasons, including potential

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<sup>6</sup>We used the Statistical Analysis System (SAS) function "SPEDIS" to automate the matching of some ATA participant records with other State information using data fields common to the two datasets (i.e., participant name, fiscal year of relevant event, and recipient partner nation) by comparing the records of the two different State systems by measuring the asymmetric spelling distance between the words in the various records, that is, how close the words in a record are to others in how they are spelled. SAS allows users to select a value of the SPEDIS function from a range of 0 to 200 to serve as a cutoff point for how closely two separate records must match in how they are spelled in order to be identified as a possible match. A value of 0 would identify only exact matches, whereas a value of 200 would identify matches with a wider range of spelling differences. Consequently, an analysis using a lower relative SPEDIS value will likely identify fewer possible matches than would a higher relative SPEDIS value analysis. We decided to use a value of 20 after conducting multiple preliminary analyses using higher and lower values. For example, in our analysis, "Hamsa" was allowed to match with "Hamza."

<sup>7</sup>ADIS is used for the storage and use of biographic, biometric indicator, and encounter data on aliens who have applied for entry, entered, or departed the United States.

differences in the spellings of names translated from foreign languages. Regional training facilities are outside the scope of this review. State officials told us they were unaware of participants who did not return to their home countries following training at regional centers.

With respect to our reporting on ATA's analysis of the departure status of ATA participants trained at domestic facilities in fiscal years 2012 through 2016, we reviewed State's report on the results of its analysis and discussed the analysis with knowledgeable State and DHS officials. We asked DHS to provide documentation confirming the status of the participants whom ATA identified who may have remained in the United States following the conclusion of ATA training and analyzed the information provided in response. We used ATA's analysis and DHS's additional information to provide insights into participants for whom there were no departure records. We noted that ATA's analysis and results included only participants included in ATA's electronic participant data, which we determined to be incomplete.

We also provided information in the background section of this report about funds allocated to ATA activities. To do so, we assessed funding data, including allocations, obligations, and disbursements for fiscal years 2012 through 2016 from Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funding for ATA, NADR/ATA Overseas Contingency Operations, Global Security Contingency Fund, and International Narcotics Control and Law Enforcement accounts. State provided data on allocations, amounts reallocated, unobligated balances, unliquidated obligations, and disbursements of funds for program activities. We analyzed these data to determine the extent to which allocated funds had been disbursed. We also discussed the status of these funds, including the extent to which any had expired and were no longer available for obligation, with State officials. We assessed the reliability of these data by interviewing cognizant agency officials and comparing the data with previously published data. We determined that the data were sufficiently reliable for our purposes.

We conducted this performance audit from May 2016 to September 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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We conducted our related investigative evaluation work—site surveillance—in accordance with investigation standards prescribed by the Council of the Inspectors General on Integrity and Efficiency.

## Appendix II: Comments from the Department of State



United States Department of State

Comptroller

Washington, DC 20520

AUG 28 2017

Charles M. Johnson, Jr.  
Managing Director  
International Affairs and Trade  
Government Accountability Office  
441 G Street, N.W.  
Washington, D.C. 20548-0001


Dear Mr. Johnson:

We appreciate the opportunity to review your draft report, "ANTITERRORISM ASSISTANCE: State Department Should Improve Data Collection and Participant Oversight" GAO Job Code 100863.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact Paul Ginsburg, Policy Analyst, Office of the Executive Director, Bureau of Diplomatic Security at (571) 345-9696.

Sincerely,

  
Christopher H. Flaggs

Enclosure:  
As stated

cc: GAO – Jess Farb  
DS – Bill Miller (Acting)  
State/OIG – Norman Brown



**Department of State Comments on GAO Draft Report**

**ANTITERRORISM ASSISTANCE: State Department Should Improve Data  
Collection and Participant Oversight**  
**(GAO-17-704, GAO Code 100863)**

Thank you for the opportunity to comment on your draft report entitled “*Antiterrorism Assistance: State Department Should Improve Data Collection and Participant Oversight*”. The report includes three recommendations for the Department of State. The Department concurs with these recommendations that assist us in further refining and monitoring our strong and robust security programs.

First, GAO recommends that the Assistant Secretary for Diplomatic Security (DS) take steps to ensure the implementation of revised standard operating procedures for collecting Antiterrorism Assistance (ATA) course and participant data systems.

The Department concurs with this recommendation. ATA revised its standard operating procedures (SOP) for collecting ATA course and participant data systems in the November/December 2016 time frame and has been implementing those policies since their revision. DS provided a copy of this revised SOP to GAO in May 2017.

Second, GAO recommends that the Assistant Secretary for DS develop and implement a process to confirm and document whether future ATA participants return to their home countries following the completion of ATA training and, for any participants trained in the United States who do not, share relevant information with the Department of Homeland Security (DHS).

The Department concurs with this recommendation. ATA is implementing a capability that will request each U.S. post that sent foreign participants to an ATA activity in the United States confirm with the participants’ parent organization(s) that those participants have returned to their country. The capability will be implemented this year.

Third, GAO recommends that the Assistant Secretary for DS provide information to DHS about former ATA participants who have remained in the United States following the completion of ATA training.

The Department concurs with this recommendation. DS provided DHS with identification data on potential overstays of participants from ATA training activities in the United States.

In conclusion, the Department thanks the GAO for this constructive audit and will promptly implement the three recommendations to better prepare to operate more effectively in the future.

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# Appendix III: GAO Contact and Staff Acknowledgments

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## GAO Contact

Jessica Farb, (202) 512-6991 or [FarbJ@gao.gov](mailto:FarbJ@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Jason Bair, Kathryn Bolduc (Analyst-in-Charge), Ashley Alley, Kathryn Bernet, Debbie Chung, Martin de Alteriis, April Gamble, Rebecca Gambler, Rachel Girshick, K. Ryan Lester, Wayne McElrath, Ramon Rodriguez, Alex Welsh, Helina Wong, and Bill Woods made key contributions to this report. Neil Doherty also provided technical assistance.

# Appendix IV: Accessible Data

## Data Tables

**Accessible Data for Highlights Figure: State's Process for Overseeing Domestic ATA Training Participants**

ATA participant activity	Status	Escorted training and transit (Oversight process)	Status	Unescorted transit (No formal oversight process)	Status	Not applicable (No formal oversight process)
Available methods to detect unauthorized departures	Arrives in United States	- Escorted transit from and to airport <sup>a</sup> - Daily attendance throughout training	Clears airport security screening	None	Arrives in home country	U.S. embassy conducts follow-up
Number of known unauthorized departures from FY 2012 - 2016 ATA activities	Arrives in United States	10	Clears airport security screening	20	Arrives in home country	Not applicable
State process for notifying DHS of unauthorized departures from ATA activities	Arrives in United States	State alerts DHS 24 hours after discovering unauthorized departure <sup>b</sup>	Clears airport security screening	No formal process	Arrives in home country	No formal process

Legend: State = Department of State; DHS = Department of Homeland Security; ATA = Antiterrorism Assistance; FY = fiscal year

Source: GAO analysis of Department of State information. GAO-17-704

**Accessible Data for Figure 1: U.S. Funds Allocated for Antiterrorism Assistance, Fiscal Years 2012-2016**

Fiscal year	2012	2013	2014	2015	2016
Allocations in millions of dollars	\$166	\$147	\$139	\$126	\$136

Source: GAO analysis of Department of State (State) data. GAO-17-704

**Accessible Data for Figure 2: Bilateral Antiterrorism Assistance Allocations for Fiscal Years 2012 through 2016, by Allocation Range**

Partner Nation	FY2012-2016 Bilateral ATA Allocations	Category
Afghanistan	\$98,912,162	More than \$36 million
Pakistan	\$35,797,326	\$10 to \$36 million
Philippines	\$33,030,657	\$10 to \$36 million
Kenya	\$31,360,291	\$10 to \$36 million
Jordan	\$29,650,342	\$10 to \$36 million
Indonesia	\$24,211,230	\$10 to \$36 million

Partner Nation	FY2012-2016 Bilateral ATA Allocations	Category
Iraq	\$22,160,695	\$10 to \$36 million
India	\$17,396,417	\$10 to \$36 million
Mexico	\$12,291,765	\$10 to \$36 million
Bangladesh	\$12,265,290	\$10 to \$36 million
Yemen	\$10,037,704	\$10 to \$36 million
Lebanon	\$9,769,325	\$2 to \$10 million
Tunisia	\$9,173,765	\$2 to \$10 million
Somalia	\$7,560,137	\$2 to \$10 million
Egypt	\$7,326,881	\$2 to \$10 million
Colombia	\$4,739,732	\$2 to \$10 million
Malaysia	\$3,942,214	\$2 to \$10 million
Algeria	\$3,852,733	\$2 to \$10 million
Thailand	\$3,317,326	\$2 to \$10 million
Morocco	\$3,083,807	\$2 to \$10 million
Tajikistan	\$2,741,069	\$2 to \$10 million
Libya	\$2,724,608	\$2 to \$10 million
Nepal	\$2,570,606	\$2 to \$10 million
Oman	\$2,474,866	\$2 to \$10 million
Bahrain	\$2,227,380	\$2 to \$10 million
Maldives	\$1,777,380	Less than \$2 million
Kyrgyz Republic	\$1,777,380	Less than \$2 million
Syria	\$1,470,000	Less than \$2 million
Kazakhstan	\$1,287,380	Less than \$2 million
Bosnia and Herzegovina	\$1,049,559	Less than \$2 million
Chad	\$1,000,000	Less than \$2 million
South Africa	\$675,001	Less than \$2 million
Turkmenistan	\$565,001	Less than \$2 million
Turkey	\$250,000	Less than \$2 million

Source: GAO analysis of Department of State (State) data; Map Resources (map). GAO-17-704

**Accessible Data for Figure 5: State's Process for Overseeing Domestic Antiterrorism Assistance Training Participants**

ATA participant activity	Status	Escorted training and transit (Oversight process)	Status	Unescorted transit (No formal oversight process)	Status	Not applicable (No formal oversight process)
Available methods to detect unauthorized departures	Arrives in United States	- Escorted transit from and to airport <sup>a</sup> - Daily attendance throughout training	Clears airport security screening	None	Arrives in home country	U.S. embassy conduct informal follow-up

ATA participant activity	Status	Escorted training and transit (Oversight process)	Status	Unescorted transit (No formal oversight process)	Status	Not applicable (No formal oversight process)
Number of known unauthorized departures from FY 2012 - 2016 ATA activities	Arrives in United States	10	Clears airport security screening	20	Arrives in home country	Not applicable
State process for notifying DHS of unauthorized departures from ATA activities	Arrives in United States	State alerts DHS 24 hours after discovering unauthorized departure <sup>b</sup>	Clears airport security screening	No formal process	Arrives in home country	No formal process

Legend: State = Department of State; DHS = Department of Homeland Security; ATA = Antiterrorism Assistance; FY = fiscal year

Source: GAO analysis of Department of State information. GAO-17-704

**Accessible Data for Figure 6: 443 Fiscal Year 2012-2016 ATA Participants with Known Departure Dates by Length of Stay in the United States Following Completion of Training**

Length of Stay	Number of participants	Percentage
2 Days or Less	386	87%
3-6 Days	33	7%
7-10 Days	16	4%
11-21 Days	8	2%

Source: GAO analysis of Department of State and Homeland Security data. GAO-17-704

## Agency Comment Letter

### Accessible Text for Appendix II: Comments from the Department of State

#### Page 1

Charles M. Johnson, Jr.

Managing Director

International Affairs and Trade

Government Accountability Office

441 G Street, N.W.

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Washington, D.C. 20548-0001

United States Department of State

Comptroller

Washington, DC 20520

AUG 28 2017

Dear Mr. Johnson:

We appreciate the opportunity to review your draft report, "ANTITERRORISM ASSISTANCE: State Department Should Improve Data Collection and Participant Oversight" GAO Job Code 100863.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact Paul Ginsburg, Policy Analyst, Office of the Executive Director, Bureau of Diplomatic Security at (571) 345-9696.

Sincerely,

Christopher H. Flaggs

Enclosure:

As stated

cc: GAO -Jess Farb

DS -Bill Miller (Acting) State/OIG - Norman Brown

Page 2

Department of State Comments on GAO Draft Report

ANTITERRORISM ASSISTANCE: State Department Should Improve Data Collection and Participant Oversight

(GAO-17-704, GAO Code 100863)

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Thank you for the opportunity to comment on your draft report entitled “Antiterrorism Assistance: State Department Should Improve Data Collection and Participant Oversight”. The report includes three recommendations for the Department of State. The Department concurs with these recommendations that assist us in further refining and monitoring our strong and robust security programs.

First, GAO recommends that the Assistant Secretary for Diplomatic Security (DS) take steps to ensure the implementation of revised standard operating procedures for collecting Antiterrorism Assistance (ATA) course and participant data systems.

The Department concurs with this recommendation. ATA revised its standard operating procedures (SOP) for collecting ATA course and participant data systems in the November/December 2016 time frame and has been implementing those policies since their revision. DS provided a copy of this revised SOP to GAO in May 2017.

Second, GAO recommends that the Assistant Secretary for DS develop and implement a process to confirm and document whether future ATA participants return to their home countries following the completion of ATA training and, for any participants trained in the United States who do not, share relevant information with the Department of Homeland Security (DHS).

The Department concurs with this recommendation. ATA is implementing a capability that will request each U.S. post that sent foreign participants to an ATA activity in the United States confirm with the participants’ parent organization(s) that those participants have returned to their country. The capability will be implemented this year.

Third, GAO recommends that the Assistant Secretary for DS provide information to DHS about former ATA participants who have remained in the United States following the completion of ATA training.

### Page 3

The Department concurs with this recommendation. DS provided DHS with identification data on potential overstays of participants from ATA training activities in the United States.



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In conclusion, the Department thanks the GAO for this constructive audit and will promptly implement the three recommendations to better prepare to operate more effectively in the future.

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